

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: ERICK JOHNSON and	:	CHAPTER 13
CARMEN KITTS	:	
Debtor(s)	:	
	:	
CHARLES J. DEHART, III	:	
STANDING CHAPTER 13 TRUSTEE	:	
	:	
vs.	:	
	:	
ERICK JOHNSON and	:	
CARMEN KITTS	:	
Respondent(s)	:	CASE NO. 1-16-bk-04101

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 30<sup>th</sup> day of June, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required

2. Trustee further objects to debtor(s)' plan subject to debtor(s) providing to the Trustee a Business Debtor Certification and copies of all necessary and related documents which will enable the Trustee to file his Business Examination Report with the Court pursuant to Sections 1302(c), Section 1106(a)(3) and Section 1106(a)(4) of the Bankruptcy Code. More specifically, Trustee requires the submission of the following:

- a. Certification of business debtor.
- b. Federal Income Tax Return for the two most recent years.
- c. Insurance policies for:

- a) Business liability
- b) Workman's compensation liability.

- d. Employers quarterly payroll tax returns. If applicable, copies of the bank statements for six months preceding the filing.

3. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:

- a. Income and Expense Statement for January-June, 2017.
- b. Finalized IRS claim.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Charles J. DeHart, III  
Standing Chapter 13 Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
(717) 566-6097

BY: /s/James K. Jones  
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 30<sup>th</sup> day of June, 2017, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Dawn Cutaia, Esquire  
115 E. Philadelphia Street  
York, PA 17401

/s/Deborah A. Behney  
Office of Charles J. DeHart, III  
Standing Chapter 13 Trustee